THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application:
Edgar V. Menezes   :   Docket No.: INT0094

Serial No.: 09/832,236   :   Group Art Unit: 2873

Filed: April 10, 2001

For: Progressive Addition Lenses   :   Examiner: J. Schwartz

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

AMENDMENT AND RESPONSE TO OFFICE ACTION

Dear Sir:

In response to the Office Action dated March 3, 2003 kindly enter and consider the following amendments:

<u>In the Specification</u>:

Please amend the specification as follows:

Please replace line 11, page 2 with the following rewritten line:

-- Fig. 1 is an illustration of the distortion area of a progressive lens. --

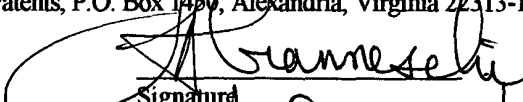Please replace line 21, page 2 with the following rewritten line:

--Fig. 4a b is the power contour of the composite surface of Example 1.--

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Please replace lines 7 through 12, page 5 with the following rewritten lines:

$$--A_I = I_L/2\ [I_W + D_W] + (C_L - I_L)/2\ [I_W + N_W] \qquad (II)$$

where: I_W is width of the intermediate zone where the unwanted astigmatism is less than 0.5 diopters; D_W and N_W are the widths of the distance (at $y = 0$) and near (at $y = -20$ mm) viewing zones, respectively, where the unwanted astigmatism is less than about 0.5 diopters; $\underline{C_L\ is\ the\ channel\ length}$; and I_L is the length along the center of the channel between the prism reference point and the narrowest width in the intermediate zone. --

<u>In the Claims</u>:

This listing of claims will replace all prior versions, and listings, of claims in the application.

Please cancel claim 2.

Please amend claims 1, 3, 4 and 5 as follows:

STATUS OF CLAIMS

1.   (currently amended) A progressive addition lens, comprising a normalized lens distortion of less than about 300 <u>comprising at least one surface that is a composite of a progressive surface and a regressive surface</u>.

2.   (canceled)

3.   (currently amended) The lens of claim 2 <u>1</u>, wherein the composite surface exhibits a maximum, localized unwanted astigmatism that is ~~less than~~ about 0.125 diopters ~~,~~ <u>less</u> than the sum of an absolute value of the maximum, localized astigmatism of each of the progressive and regressive surfaces.

4.   (currently amended) The lens of claim 2 <u>1</u> or 3, further comprising a second progressive addition surface.

5.   (currently amended) The lens of claim 2 <u>1</u> or 3, further comprising a second surface that is a regressive surface.

6.   (withdrawn) A progressive addition surface, comprising a composite surface of a progressive surface and a regressive surface, wherein the composite surface exhibits a maximum, localized unwanted astigmatism that is at least less than about 0.125 diopters than the sum of an absolute value of the maximum, localized astigmatism of each of the progressive and regressive surfaces.

7.   (withdrawn) A method for designing a progressive addition surface comprising the steps of: a.) designing a progressive surface comprising at least one first area of unwanted astigmatism; b.) designing a regressive surface comprising at least one second area of unwanted astigmatism; and c.) combining the progressive and regressive surface designs to form a composite progressive surface design, wherein the at least one first and second areas of unwanted astigmatism are substantially aligned.

8.   (withdrawn) The method of claim 7, wherein each of the progressive and regressive surface designs is one of a hard design, a soft design, or a combination thereof.

9.   (withdrawn) The method of claim 7, wherein each of the progressive and regressive surface designs are hard designs.

10.   (withdrawn) The method of claim 7, wherein each of the progressive and regressive surface designs are soft designs.

11.   (withdrawn) The method of claim 7, wherein a surface formed from the composite surface design exhibits maximum, localized unwanted astigmatism that is less than about 0.125 diopters than the sum of an absolute value of the maximum, localized unwanted astigmatism of each of the progressive and regressive surfaces.

12.   (withdrawn) The method of claim 7, wherein the composite surface design comprises more than one area of maximum, localized unwanted astigmatism on each side of the composite surface's channel.

13.   (withdrawn) The method of claim 5, wherein the progressive and regressive surface designs are expressed as sag departures from a base curvature.

14.   (withdrawn) The method of claim 13, wherein the base curvature is a concave curvature or a convex curvature.

15.   (withdrawn) The method of claim 7, wherein step c.) is carried out by summing the progressive surface and regressive surface design sag values according to the following equation:

$$Z(x, y) = \Sigma a_i Z_i (x, y) \ (I)$$

wherein Z is the composite surface sag value departure from a base curvature at point (x, y), Z_i is the sag departure for the ith surface to be combined at point (x, y) and a_i are coefficients.

REMARKS

Reconsideration of the application in view of the foregoing amendments and following remarks is respectfully requested. The Examiner objected to page 2, lines 11 and 21 of the specification. Applicant hereby amends lines 11 and 21 to overcome the objection and withdrawal of the objection is respectfully requested.

The Examiner rejected claim 1 under 35 U.S.C. § 112, first paragraph "as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art ... to make and/or use the invention."   Applicant amends the specification to state that "C_L" means channel length. Support for this amendment comes from, *inter alia*, Figure 1 and Table 2 of the specification as filed. Further, one ordinarily skilled in the art would be able to determine that the units for D_L are "mm^2." Thus, Applicant submits that claim 1 is fully enabled by the specification and withdrawal of the Section 112, first paragraph rejection is respectfully requested.

The Examiner rejected claim 3 under 35 U.S.C. § 112, first paragraph. Applicant amends claim 3, the support for which amendment is found at page 9, lines 1 through 7 of

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the specification. Withdrawal of the Section 112, first paragraph rejection is respectfully requested.

The Examiner rejected claims 1 through 5 under rejected claim 1 under 35 U.S.C. § 112, second paragraph as indefinite. According to the Examiner, the Examiner assumes that "claim 1 is defining 'normalized lens distortion' as that which is determined from equation 'I' and 'II' ..."

As stated by Applicant, normalized lens distortion can, but does not necessarily have to be determined by the equations present in the specification. One ordinarily skilled in the art will recognize that normalized lens distortion can be calculated in any number of ways including by utilizing Equations I and II. Therefore, limiting the claims to these equations to calculate lens distortion unnecessarily limits the claims' scope. Withdrawal of the Section 112, second paragraph rejection is respectfully requested.

The Examiner rejected claims 1 through 5 under 35 U.S.C. § 102(d) as anticipated by Japanese document 2000-24992. The cited reference fails to teach or disclose all material elements of the claimed invention and cannot be relied upon for a Section 102 rejection of the claims. Specifically, the reference fails to teach of suggest the composite surface of the claimed lens. Therefore, withdrawal of the Section 102(d) rejection of the claims is respectfully requested.

The Examiner rejected claim 1 under 35 U.S.C. § 102(b) as anticipated by Roddy. The cited reference fails to teach or disclose all material elements of the claimed invention and cannot be relied upon for a Section 102 rejection of the claim. Specifically, the reference fails to teach of suggest the composite surface of the claimed lens. Therefore, withdrawal of the Section 102(b) rejection of the claim is respectfully requested.

The Examiner rejected claim 1 under 35 U.S.C. § 102(b) as anticipated by Ueno. The cited reference fails to teach or disclose all material elements of the claimed invention
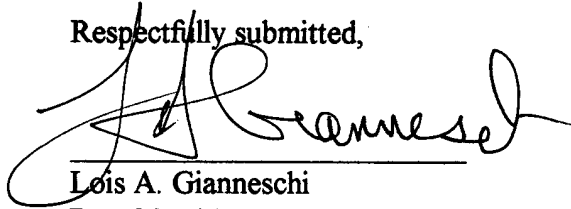
and cannot be relied upon for a Section 102 rejection of the claim. Specifically, the reference fails to teach of suggest the composite surface of the claimed lens. Therefore, withdrawal of the Section 102(b) rejection of the claim is respectfully requested.

Applicant respectfully submits that the claims, as amended, are in condition for allowance. Entry of the amendments, withdrawal of the objections and rejections, and allowance of the claims are respectfully requested.

Respectfully submitted,

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